

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

DANIEL LEE LOPEZ,

Petitioner,

v.

RICK THALER,  
Director, Texas Department of  
Criminal Justice, Correctional  
Institutions Division

Respondent.

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CIVIL ACTION NO. C-12-160

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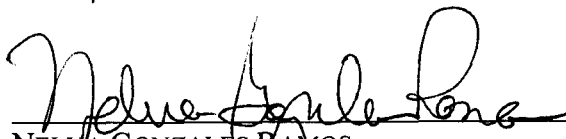
**ORDER**

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Daniel Lee Lopez, an inmate on Texas' death row, has filed a *pro se* federal petition for a writ of habeas corpus. (D.E. 1.) The direct appeal from Lopez's conviction and sentence is still pending in the Texas Court of Criminal Appeals. *Lopez v. State*, AP-76,327 (Tex. Crim. App.). Federal relief is not available to Lopez until he "has exhausted the remedies available in the courts of the State." 28 U.S.C. § 2254(b)(1)(A). Accordingly, Lopez's federal petition is premature. The Court **STAYS** and **ADMINISTRATIVELY CLOSES** this case to allow state court review. The Court will reopen these proceedings, if necessary, after the conclusion of Lopez's direct appeal.

The Clerk will deliver a copy of this Order to the parties.

**ORDERED** this \_\_\_\_ day of 9/21/12, 2012.

  
NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE